



SALES DOCUMENT

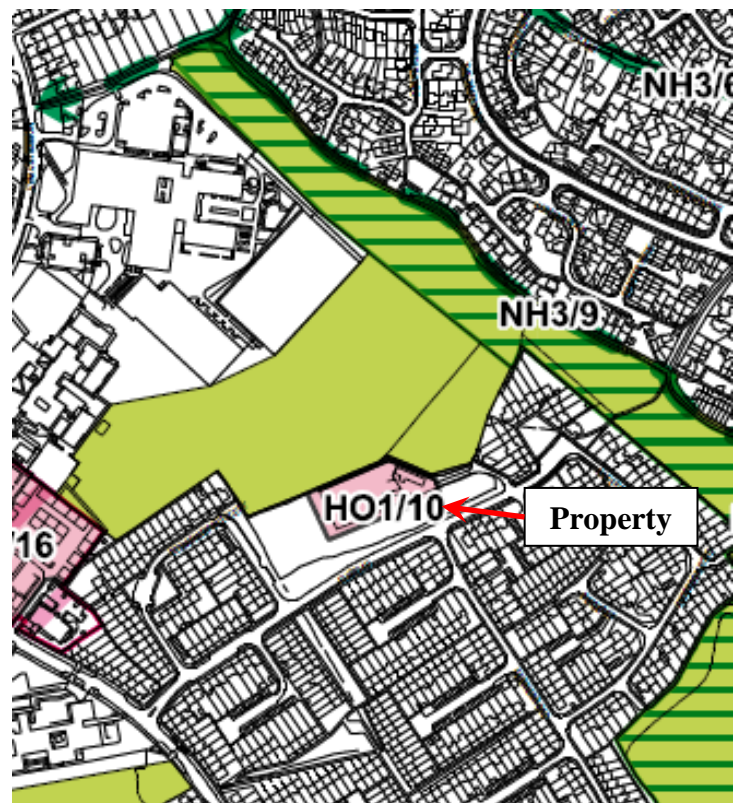
LAND AT ELIOT ROAD, STEVENAGE

FOR SALE BY INFORMAL TENDER



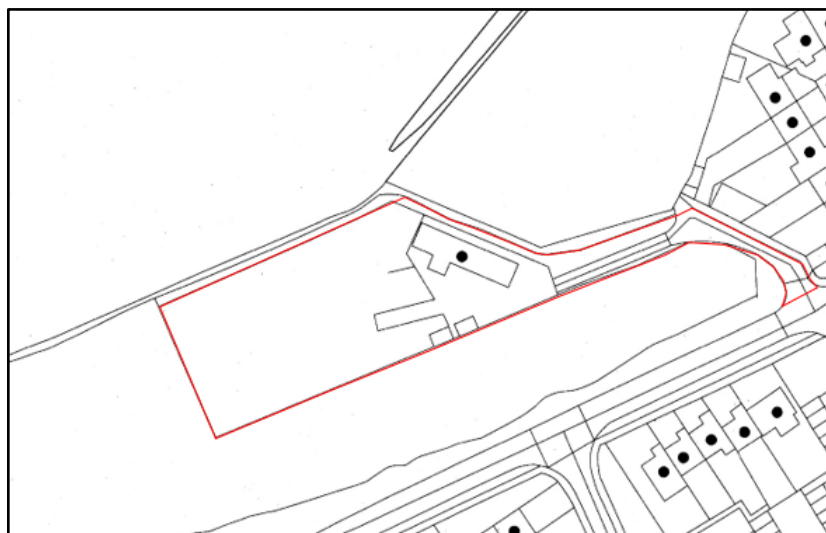
Stevenage
BOROUGH COUNCIL

MOULT WALKER CHARTERED SURVEYORS
6TH JULY 2020



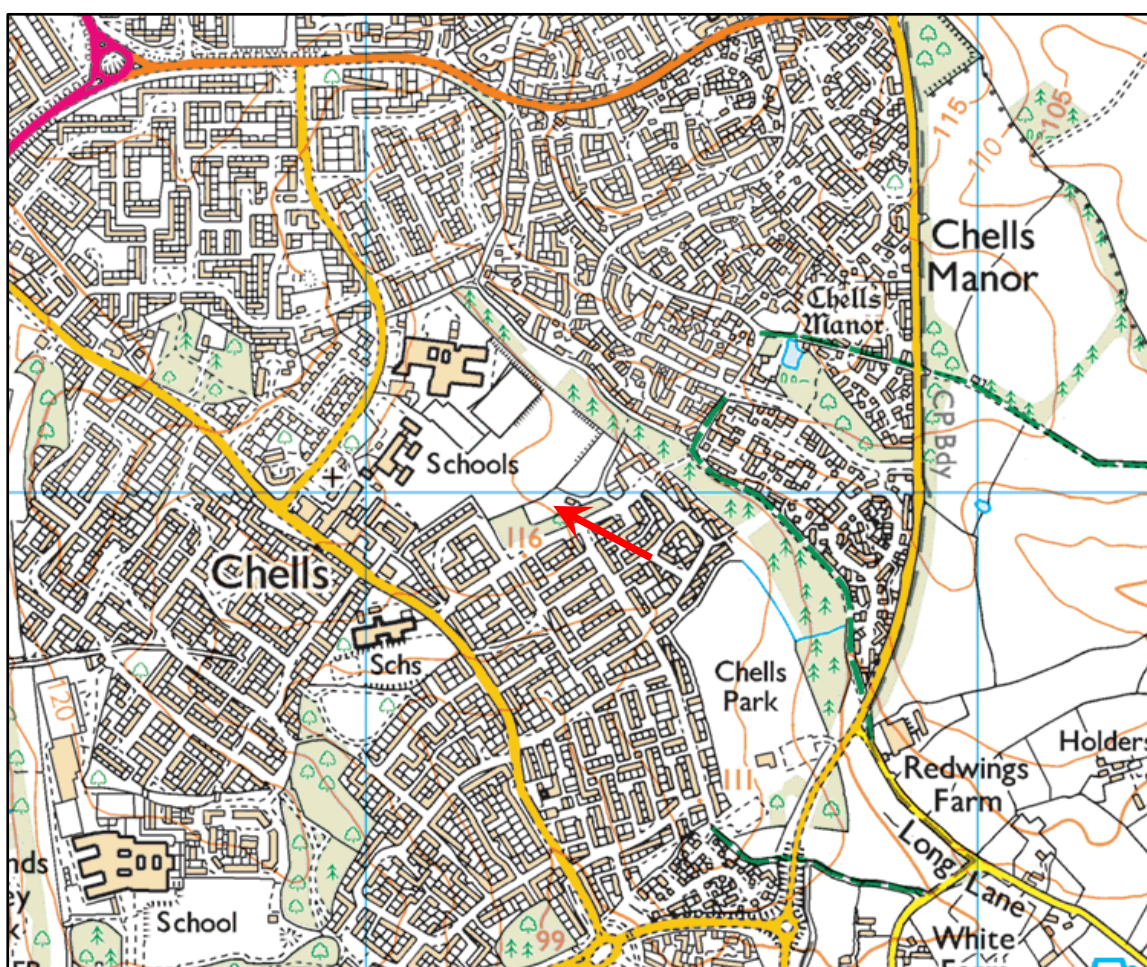
1. INTRODUCTION

- 1.1 Moulton Walker are instructed by Stevenage Borough Council (the 'Council') to re-market the residential development opportunity of land located north of Eliot Road, Stevenage, Hertfordshire, SG2 0PE. This was previously offered for sale in July 2019. The opportunity is being re-marketed due to procurement problems suffered by the previously selected developer. This does not reflect in any way on the suitability of the land re-offered for sale.
- 1.2 This sales document and supporting information sets out a description of the site, relevant background information, planning details, development proposals and the method of sale.
- 1.3 Residential developers and other interested parties, whom have duly considered this sales package, are invited to submit their offers based on this informal tender process by noon on Friday 24th July 2020.
- 1.4 Offers are to be submitted to Stevenage Borough Council in accordance with the details contained within this sales document and tender particulars. Offers submitted in any other way will not be considered.
- 1.5 It is anticipated that the selection of a preferred party should occur within three weeks of the tender return. Exchange of sale contracts is required by the Council during October 2020 with completion to be determined by the method of sale.
- 1.6 The circa 0.28 hectare (0.7 acres) residential development site is located towards the eastern edge of Stevenage, within Chells neighbourhood and adjacent to the Nobel School and Eliot Road allotments.
- 1.7 The development site currently comprises open grassland and scrub within a tree bordered and fenced boundary. Six Acre Wood encloses the site to the west and south sides. Part of the site was previously used for education use (as a church school), the building has since been demolished and temporary classrooms removed. The site has the benefit of an existing gated access to Eliot Road to the east. The shared access road is included with the land to be sold.
- 1.8 The site is an allocated housing site for 16 residential dwellings in the Stevenage Borough Local Plan 2011 – 2031 adopted in May 2019. An application for full planning permission was submitted by the previously selected developer in January 2020 and remains undetermined (for thirteen 2 bed and 3 bed houses).
- 1.9 The plan extracted below (reference Appendix 1) is the draft sale plan of the land to be sold.



2. LOCATION

- 2.1 The development site (the 'Site') is located towards the eastern edge of Stevenage, within the settlement limits and adjacent to the rear playing fields of the Nobel School. The Site is accessed from Eliot Road (by a shared access with Eliot Road allotments) and there is a woodland buffer (Six Acre Wood) between the Site and Eliot Road. As such, the Site is within an 'island' of woodland, allotments and school playing fields all screened by trees.
- 2.2 The location is shown below (the nearest post code is SG2 0PE) and the following web link: [Streetmap Location Plan](#). An aerial photo is available at this further web link [Aerial Photo](#).
- 2.3 The location is within the central area of the residential neighbourhood of Chells; a well established community and part of Stevenage new town. Chells is well served by public transport with links to schools, community/retail facilities and open space areas. It should be noted the Glebe neighbourhood centre to the west is an allocated housing site in the Local Plan for 35 homes (reference Policy HO1/15) as part of the regeneration of the centre.



- 2.4 The Site is a 2.3 mile walk from Stevenage railway station and town centre and the same distance from the Old Town. Chells Park is a short walk to the south east.
- 2.5 The nearby Glebe neighbourhood centre has a variety of local shops, services and facilities. As above, this is proposed for regeneration. The area is well served by schools with Lodge Farm and Camps Hill Primary Schools and The Nobel School in close proximity.



- 2.6 Stevenage was designated as the first New Town to be developed in post-war Britain and was developed on the basis of a neighbourhood principle around a pedestrianised town centre. Each neighbourhood having its own shops, churches, schools and community centres. The masterplan principle has ensured the town benefits from extensive areas of open space and green links, wide roads and a cycle/pedestrian network linking all parts of the town.
- 2.7 Whilst located within a ‘green island’, the Site is close to and accessed from Eliot Road, a residential local access road leading to Chells Way to the west. Eliot Road only serves the immediate residential area, it leads to Ferrier Road which then loops back to Chells Way further to the south.



- 2.8 Chells Way is a local distributor road connecting Fairlands Way (A1155) to the north and Six Hills Way to the south.
- 2.9 From a local perspective, Stevenage is:
- 2.9.1 directly adjacent to the A1(M) with two junctions accessing north and south Stevenage (junctions 7 and 8) and circa 16 miles north of the M25 London Orbital.
 - 2.9.2 circa 42 miles from Heathrow airport, 12 miles from Luton airport, and 25 miles from Stansted airport.
 - 2.9.3 served by a direct fast electrified rail service to London Kings Cross, Moorgate and forms part of the east coast mainline rail network (London to Edinburgh).
 - 2.9.4 connected by the A602 to Hitchin and Ware and the A505 to Luton and Cambridge.



- 2.9.5 served by an extensive commercial bus network; most homes are within 400 metres of a bus stop.
- 2.9.6 surrounded by open countryside and villages such as Aston, Datchworth, Knebworth, and Walkern.
- 2.10 The Site has access to public transport with the nearest bus stops being located approximately 0.2 mile to the east (the White Way) and 0.3 mile to the west (Chells Way) which are served by one and two local bus routes respectively. Please refer to the following web link for bus timetables and plan: [Stevenage Bus Service](#).

3. DESCRIPTION

- 3.1 The Site is a self-contained area within a 'green island' of woodland (to south and west), allotments (to north east) and school playing fields (to the north). It has a large number of well-established trees to most of its boundaries and then leads to Six Acre Wood to the south and west. The Site is largely greenfield comprising open grassed and scrub land with various trees and there is evidence of the former buildings. There are no remaining buildings on the Site, the extent of previous substructures is not known.



- 3.2 The surrounding area to the south, west and east is predominantly residential in character comprising two storey terraced and semi-detached houses which are generally uniform in design within regular shaped plots and set in regimented building lines.
- 3.3 The Site is accessed via the existing crossover and single width access road from Eliot Road. This leads to the eastern part of the Site past the rear gardens and garages to the adjacent houses.



3.4 This access road is shared by the Site, the neighbouring allotments and the adjacent rear gardens/garages. There is a steel palisade gate leading to the allotments; the access road then leads directly into the Site.



- 3.5 The site plan within Appendix 1 shows the extent of the Site edged red; this being the land which is now being offered for sale. The approximate gross site area is understood to be 0.32 hectare (0.8 acres) which includes the access road. The main housing site area is circa 0.28 hectares (0.7 acres) with a general depth of 34 metres and maximum length 89 metres. The sale boundaries are largely fenced and clearly delineated on site with the exception of the access road. The access road shall be included in the sale together with such area as is required for an improved and widened access road. The access road will be subject to shared use with the allotments and adjacent residential houses (rear and side garden access only).
- 3.6 The Council have previously carried out a topographical survey of the Site and this is enclosed at Appendix 2 and 2a in both pdf and Autocad dwg format. The Council offers neither warranty, assignment nor letter of reliance on the content and accuracy of the Sunshine Survey drawing GY/4569 1/001 dated 18th August 2017. As below, the trees have since been felled.
- 3.7 The perimeter of the Site comprises a chain link fence (circa 1.8 metres high) and the entrance from the access road has a metal chain-link gate.



3.8 The majority of the Site is overgrown grass and the trees have been felled. The existing site plan shown at Appendix 3 is incorrect regarding the on-site trees. These trees within the site boundary have recently been removed.



3.9 The adjacent Six Acre Wood has several well used footpaths through the area.

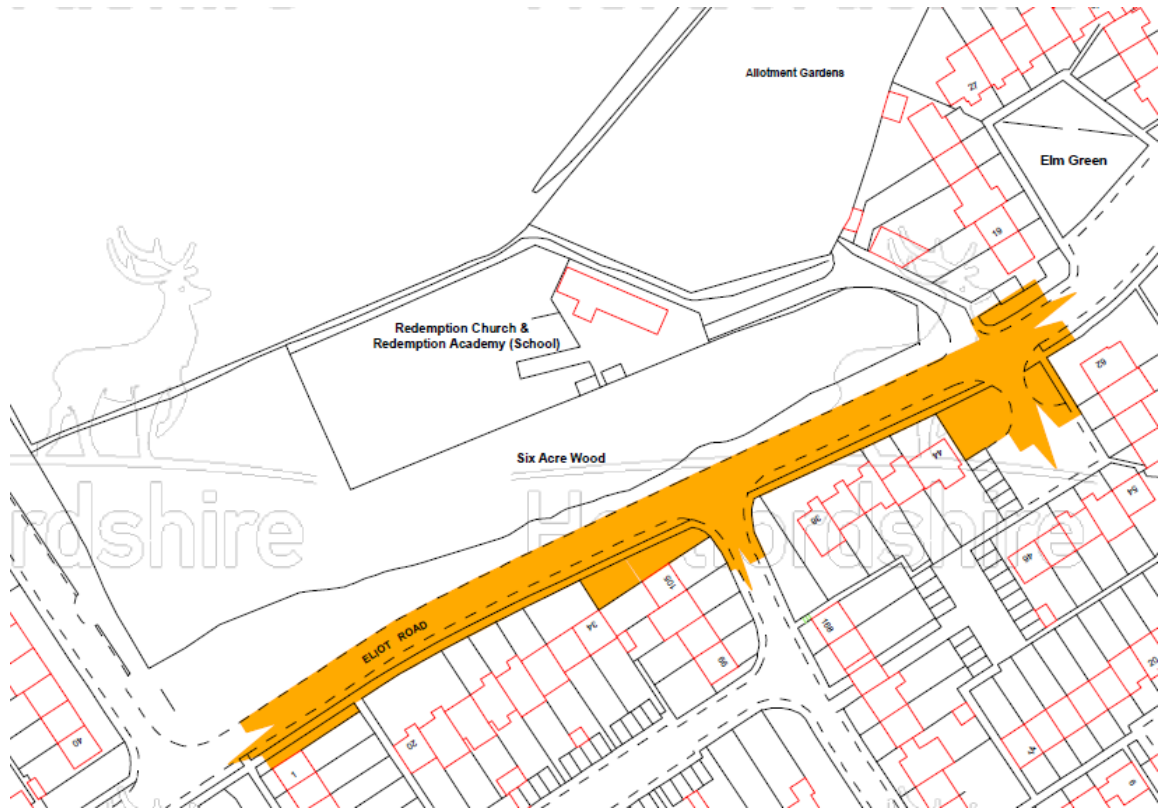
3.10 The Council has neither undertaken any ecology survey nor tree assessment of the Site.

3.11 The setting of the Site is best described as follows:

- To the north is the Nobel School playing fields;
- To the east is the allotments and rear gardens to the adjacent houses.
- Six Acre Wood to the south and west (beyond which is Eliot Road and residential houses).



3.12 The extent of the adopted highway in the vicinity of the Site is shown in Appendix 4 which confirms the extent of public highway to Eliot Road.



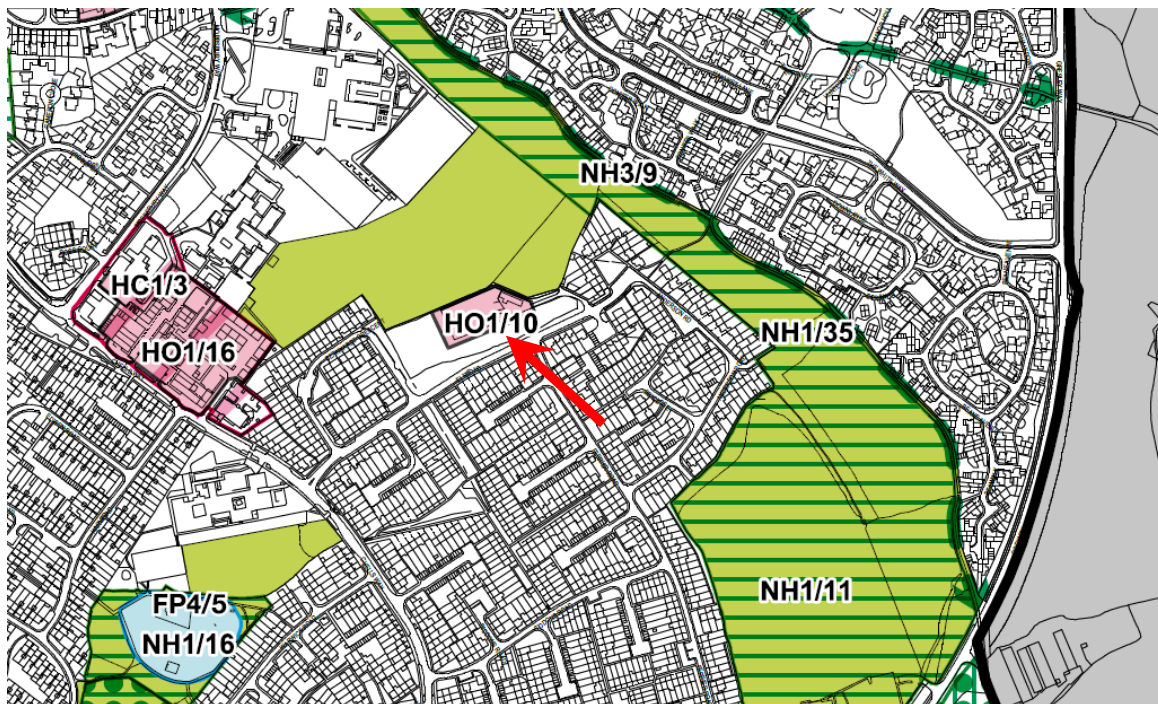
3.13 The Site (as well as the majority of Stevenage) is located outside of any designated floodplain as identified by the Environment Agency and lies outside of the immediate flood risk area for Stevenage. The website link for this map search is at: [Flood Map](#). This Environment Agency assessment confirms that the site location is within Flood Zone 1 – Low Probability of Flooding; having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1%). A flood risk assessment was submitted with the recent planning application.

3.14 Owing to the previously undeveloped nature of the Site, intrusive ground investigations have not been carried out. However, as part of the planning process the Council has carried out a desk based contaminated land assessment (reference the Argyll Site Solutions report dated July 2017 at Appendix 5). Whilst this confirms the Site has no significant contamination linkages and soil and groundwater liability is unlikely, the recent planning application includes an intrusive ground investigation report; please refer to section seven below.



4. **PLANNING**

- 4.1 With regard to current land use policy, the Stevenage Borough Local Plan 2011-2031 was adopted on 22nd May 2019 and is the current statutory plan for the whole of Stevenage.
- 4.2 Under the provisions of the Local Plan, the adopted proposals map shows the Site to be within the urban area of Stevenage. The Site is an allocated housing site and Policy HO1/10 allocates the land at Eliot Road for 16 homes.



- 4.3 The following adopted policies are considered relevant to any development proposals:

- SP1 Presumption in Favour of Sustainable Development
- SP2 Sustainable Development in Stevenage
- SP5 Infrastructure
- SP6 Sustainable Transport
- SP7 High Quality Homes
- SP8 Good Design
- SP11 Climate Change, Flooding and Pollution
- IT5 Parking and Access
- HO1 Housing Allocations
- HO7 Affordable Housing Targets
- HO8 Affordable Housing Tenure, Mix and Density
- HO9 House Types and Sizes
- HO11 Accessible and Adaptable Housing
- GD1 High Quality Design
- FP1 Climate Change
- FP2 Flood Risk in Flood Zone 1
- NH5 Trees and Woodland
- NH7 Open Space Standards

- 4.4 With reference to Policy HO7 (Affordable Housing), this provides for either 25% affordable housing on previously developed land or 30% of new homes. The Council (as both landowner



and local planning authority) do not consider the Site as previously developed land. The former school buildings were largely prefabricated buildings and have been removed several years ago. As such, buyers should make allowance for a minimum 30% affordable housing provision (5 affordable homes).

- 4.5 Policy HO8 determines the affordable housing mix required.
- 4.6 The Site has the following recent planning history:
- 4.6.1 05/00488/FP – Change of use to church school and siting of four portacabins. Permission granted 1st November 2005.
- 4.6.2 05/00006/FP - Change of use to church school and siting of four classrooms and an office. Permission granted 9th February 2005.
- 4.6.3 20/00053/FPM - Construction of 13 no. semi-detached and terraced dwellings along with associated parking, landscaping and earthworks.
- 4.7 The 2020 residential application was submitted by the previously selected developer and remains undetermined. The application content and consultation responses can be reviewed at the Council’s online planning search website; follow this weblink: [Planning Search](#). This information is referenced for information purposes only and the accuracy and content of this cannot be guaranteed and should not be relied upon.
- 4.8 This application is anticipated to be referred to the Council’s Planning Committee on 11th August 2020.
- 4.9 Any grant of planning permission is likely to include a Section 106 planning agreement and the Council’s ability to contract with itself as landowner is further described below. Essentially, the Council will most likely use another local planning authority as ‘surrogate’ to enforce the obligations. In the alternative, Section 111 of the Local Government Act may possibly be used to provide an ‘agreement to enter into an agreement’.
- 4.10 In terms of planning obligations, these will include the provision of affordable housing and other financial contributions including (inter alia) the following:
- primary education;
 - secondary education,
 - nursery facilities,
 - childcare facilities;
 - healthcare;
 - open space maintenance;
 - youth services;
 - library services;
 - monitoring fee;
 - provision of fire hydrants;
 - outdoor sports facilities;
 - children’s play space; and
 - indexation of the above financial amounts.
- 4.11 The Site is offered for sale either unconditionally based on the current Local Plan housing allocation or subject to the grant of an unchallenged planning permission (outline or full).



- 4.12 Regarding planning obligations, these can either be dealt with by way of an ‘open book’ deduction from the purchase price on completion or a fixed budget sum assessed by the buyer based on the County Council toolkit for developer contributions and other relevant obligations. Whilst the Council’s preference is for a lump sum amount, as below there is an ongoing dialogue with the County Council regarding education contributions. The proposed Committee determination in August should set out the Council’s required ‘shopping list’ (as local planning authority). The County Council’s consultation response dated 4th February 2020 outlines their standard requirements.
- 4.13 The Council, as landowner, would wish to be involved through their agents in any planning discussions (but not as joint applicant) and especially negotiations of planning obligations (commuted sums etc.).

5. STATUTORY SERVICES

- 5.1 The Council have historically undertaken initial desk-top investigations regarding the existing services.
- 5.2 The drainage search (reference Appendix 6) show the foul water drainage serving the southern residential area located south of Eliot Road. The drainage invert levels are shown but have not been checked at this stage. Buyers should make further enquiries in this regard direct with Thames Water. As section 7 below, the Council will grant appropriate drainage rights to connect to the manhole south of Eliot Road (including a drainage route through Six Acre Wood).
- 5.3 Similarly, the drainage records show surface water drainage to the area south of Eliot Road. Again, buyers should make further enquiries. It is understood that Thames Water have no capacity concerns for surface water drainage discharge (2 litres/second); see further comments in section 7 below.
- 5.4 Appendix 7 contains the National Grid gas utility search indicating a low pressure main beyond Eliot Road to the south.
- 5.5 The UK Power Networks electricity search has not yet been commissioned by the Council. Buyers should make their own enquiries in this regard.
- 5.6 Appendix 8 shows the Affinity Water search; ditto Appendix 9 for the Virgin Media cable/telecoms location. Both to the south of Eliot Road. The Openreach search has not been received by the Council. It is understood records indicate a redundant telecoms cable crossing the Site (which presumably served the now demolished school building).
- 5.7 Prospective buyers must rely on their own enquiries to the relevant statutory authorities.
- 5.8 The Council will grant to the buyer any necessary easements and rights to install services over the retained land adjacent to the Site for the purpose of the proposed development. In particular, this will include the foul and surface water drainage south through Six Acre Wood, across Eliot Road to the nearest manhole connections. This route has been designed as per the planning application documents.



6. LEGAL ISSUES

- 6.1 The Council's ownership of the main housing part of the Site is registered with HM Land Registry under title HD83642 (reference Appendix 10).
- 6.2 This title contains reference to several restrictive covenants arising from the previous ownership of Stevenage Development Corporation. These relate to use of the Site as a children's play centre, no buildings to be constructed and no felling of trees on the Site.
- 6.3 The 1960 deed has been previously released (as referred to in the register).
- 6.4 The covenants from the 1963 and 1974 transfers benefitting Stevenage Development Corporation (now Homes England) have been released.
- 6.5 The part of the Site containing the access road is covered by a different title, reference HD16114 (reference Appendix 11). Because this title includes a larger area, other properties and houses and has been subject to a number of sales (including those under the Right to Buy), the title schedule is both extensive and complicated. As part of the sale process, the Council's solicitor will provide further information and clarification on a number of title issues.
- 6.6 The access road part of the Site is within a third title reference HD36635 (Appendix 11a) which is the adjacent allotments ownership.
- 6.7 The Council's will provide clean and marketable title to the Site.
- 6.8 The Site has been vacant for several years and the Council shall provide vacant possession of the Site.
- 6.9 As mentioned above, the extent of public highway maintained by the County Council is shown at Appendix 4.
- 6.10 It is understood the surrounding woodland (Six Acre Wood) is protected.
- 6.11 A draft sale contract will be provided to the buyer.
- 6.12 Regarding the access road, it is the Council's intention to include this in the sale (and such land as is required for widening and appropriate footway). However, the Council will reserve rights of access and service media over such area of the access road as is used and required for the allotments and adjacent houses. This will be subject to a fair contribution towards future maintenance. The Council will require this improved access road to be built to adoptable highway standards given the future part shared use and maintenance.
- 6.13 Section 7 below deals further with the access road.
- 6.14 As referred to above, as a matter of policy, the Council does not issue planning permissions until a section 106 Agreement has been entered into, where this is required and justified. As a matter of law, where the Council is both landowner/seller and planning authority, it is not able to enter into a section 106 Agreement with itself, and the developer is not able to enter into the Agreement until it has become the landowner (post sale completion).
- 6.15 There are a number of consequences flowing from this and practical concerns. The usual order of events is the completion of a section 106 agreement, subsequent issue of the planning permission, expiry of a legal challenge period and the completion of purchase of the land.



- 6.16 This is affected by the ability of the Council to issue a signed section 106 agreement on land that the Council still owns. Technically, the sale of the land should happen first, followed by signing of the section 106 agreement and grant of planning permission the same day. However, this does not allow for any judicial review period which poses risk to a buyer.
- 6.17 As such, the Council has used on other similar schemes a process whereby it uses a neighbouring local authority as ‘surrogate’ planning authority. This allows the Council as landowner to covenant and contract with a surrogate local planning authority.
- 6.18 Any purchaser may want to review this process and other authorities use Section 111 of the Local Government Act which may possibly be used to provide an ‘agreement to enter into an agreement’ (but query the legal challenge risk).

7. DEVELOPMENT PROPOSALS

- 7.1 Stevenage Borough Council will consider (a) unconditional offers and (b) conditional subject to planning (free from legal challenge) offers encompassing the sale of the freehold site with clean and marketable title, vacant possession and subject to contract.
- 7.2 This section summarises the Council’s expectations for the development of the Site and associated issues regarding planning obligations, trees, boundary works, access and services.
- 7.3 The Site has the benefit of an adopted Local Plan allocation for housing development (16 dwellings).
- 7.4 The Site is subject to an undetermined full planning application for 13 semi-detached and terraced homes (both 2 bed and 3 bed). The detail and content of this third party application provides a significant amount of design detail and due diligence information albeit referenced without reliance or warranty.
- 7.5 The Site is well located for residential development on the eastern side of the town with local services and facilities in the local area. The ‘green island’ nature of the Site makes this a good opportunity for a creative design and quality development.
- 7.6 With the adopted housing allocation, the buyer can now use this base to progress the full design and to secure full planning permission (either pre or post acquisition). This can build on the various consultation responses to the current application.
- 7.7 The planning allocation proposes 16 new homes in accordance with Policy HO1/10 and 30% affordable housing provision (as Policy HO7). This gives a moderate density development (circa 60 dwellings per hectare) comprising 9 market homes and 5 affordable homes. The house type and mix will need to accord with the Council’s policy requirement (and identified housing need).
- 7.8 Access for the proposed development will require a widening of the existing access road and upgrade to adoptable highway construction and design standards. This will include the requirement to create an appropriate access and turning area for refuse and fire fighting vehicles. Any work to be carried out by the Buyer on the existing public highway shall require a Section 278 and associated highway approvals and supervision. The Council will grant licence for any additional visibility splays that may be required in addition to the land sold for



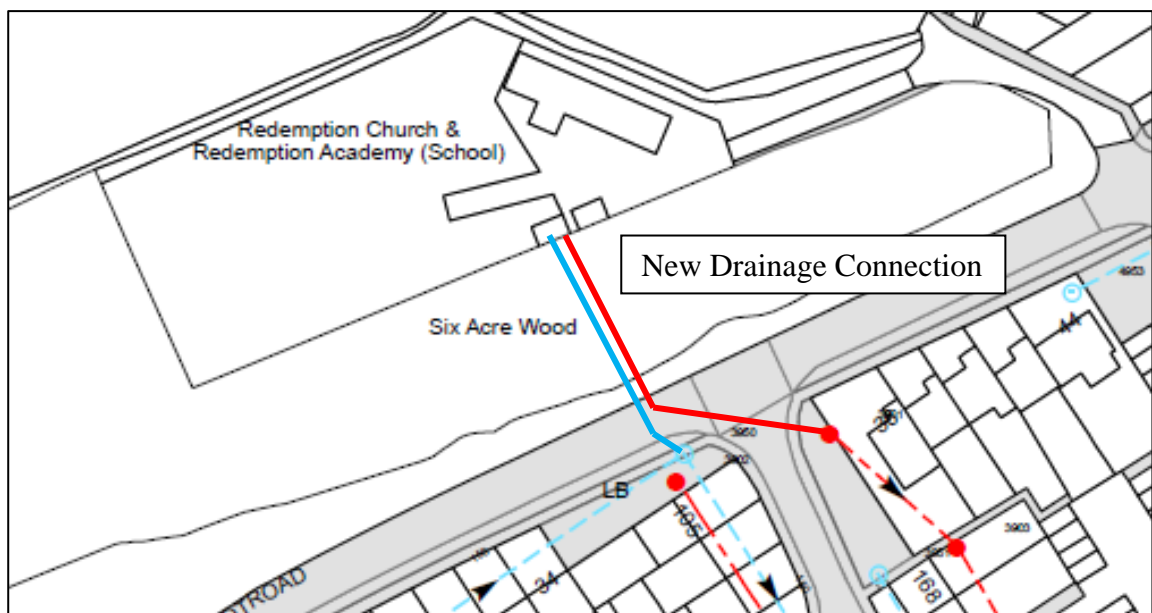
the access road. The County Council (as highway authority) are understood to have not objected to the access proposal.

- 7.9 The Council have previously looked at various options for development and the illustrative layout sketches shown at Appendix 12 and 12a show two alternative layouts for 16 and 17 homes. These are indicative only and not subject to any approvals.
- 7.9.1 Sketch 542-C-028 feasibility 01 showing three storey flats and separate blocks of 3 bed homes.
- 5 No. 3 bed (5 person) houses: 96 sq metres each.
 - 6 No. 2 bed (4 person) flats: 70 sq metres each.
 - 6 No. 1 bed (2 person) flats: 51 sq metres each.
- 7.9.2 Sketch 15003sk1.02 showing three storey flats and separate blocks of 3 bed homes.
- 4 No. 3 bed (5 person) houses: 96 sq metres each.
 - 6 No. 2 bed (4 person) flats: 64 sq metres each.
 - 6 No. 1 bed (2 person) flats: 50 sq metres each.
- 7.10 Whilst the Council have not carried out any ecology surveys, the proximity to the surrounding woodland and existing trees on the Site would indicate a need for provision of bat and bird boxes. Ecology surveys and mitigation measures are likely to be required.
- 7.11 Whilst Natural England are understood to have no objection to development of the Site, Herts & Essex Wildlife Trust have requested an assessment of measurable net gain to biodiversity. As such an ecology assessment and measurable calculation of ecological value is needed.
- 7.12 Whilst both indicative schemes show the retention of some key trees within the Site, these have now been removed. The local planning authority will require some tree replacement planting for those removed. This should be taken into account in any offers together with the impact on foundation increased depth and substructure of retained, removed and replacement tree planting. Similarly, root protection, protection during construction, maintaining distance from tree cover etc.
- 7.13 Several trees within the Site have recently been felled as shown on the site photographs above.
- 7.14 As previously mentioned, the Council does not have the benefit of any intrusive ground investigation report.
- 7.15 Based on similar developments within the locality, the expected clay overlaying chalk subsoil and the trees, it can reasonably be anticipated that foundation design should allow for piled foundations across the scheme. This will cater for both the removed and retained trees. The resulting soil desiccation of the clay over chalk (which has high volume change potential) will require piled foundations.
- 7.16 A walkover of the Site highlights the presence of some made ground, in particular low height piles of demolition rubble. The source of these is unknown; query fly tipping or from the demolition of the former school temporary buildings. As such there may be some localised contamination which needs to be removed from Site. This will be further explored with the buyer in due course.





- 7.17 The drainage strategy is understood to have discounted conventional soakaways. Hence the on-site attenuation as below.
- 7.18 The Council will grant appropriate rights for the construction and maintenance of services media where these cross non-highway land owned by the Council in the vicinity of the Site.
- 7.19 In particular (as referenced above), the foul and surface water drainage will need to cross the Council's ownership of Six Acre Wood, Eliot Road and the Council's amenity land south of Eliot Road. This has been flagged as being third party land but is owned by the Council and appropriate rights will be granted as part of this sale contract/transfer. This drainage route is indicated below and should be edged red in any future planning application.



- 7.20 The Lead Local Flood Authority make reference to the 68 cubic metre cellular attenuation tank required to attenuate the surface water discharge to the restricted 2 litres per second. This is in addition to permeable paving. Thames Water are understood to have confirmed no capacity concerns for the proposed surface water peak rate discharge of 2 litres per second into the manhole.
- 7.21 Regarding boundary treatment, subject to the requirements of any future planning condition, the Council require all boundaries to be properly fenced with 1.8 metre timber fencing with concrete posts and concrete gravel boards. Responsibility for future maintenance of the fencing shall rest with the buyer (and successors in title).



- 7.22 Regarding planning obligations, as described in section four above, it is expected that any Section 106 agreement will require various financial payments (plus indexation). Buyers should either make an appropriate allowance for these obligations or propose an open book deduction from the purchase price on sale completion (assuming a conditional sale). This detail should be contained and stated within any financial offer.
- 7.23 It should be noted the primary and secondary education contributions will be subject to review and negotiation. The request from the County Council exceeds the standard developer's toolkit.
- 7.24 The Council, as housing authority, will require nomination rights over all affordable housing for local needs.
- 7.25 The Council requires any offers to contain clarity as to the value of the affordable housing in terms of any financial offer or value to a Registered Provider.
- 7.26 Tenders should allow for the currently anticipated timescale; viz. exchange of contracts in October 2020. The Council will expect strict adherence to an agreed timescale for the sale process.

8. OTHER ISSUES

- 8.1 Regarding viewing, the Site can be viewed from the outside fence boundaries (with the exception of the northern school boundary). Otherwise the Site is secure and access is by appointment. Parties entering the Site do so at their own risk.
- 8.2 Should potential purchasers require any further information, please contact the vendor's agents as follows:

Duncan Murdoch
Moult Walker Chartered Surveyors
Telephone: 07814 736 413
E-Mail: duncanmurdoch@moult-walker.co.uk

- 8.3 It is the responsibility of potential purchasers to satisfy themselves as to the likely cost of complying with planning and similar agreements (such as Section 38 and 278 Agreements and Agreements under section 104 Water Industry Act).
- 8.4 By the same token, potential purchasers should, as far as possible, satisfy themselves at the outset as to whether the underlying geology or ground conditions on the Site are likely to require specialist foundations or construction techniques, since the Council is not prepared to agree reductions in the sale price in respect of these or similar matters.
- 8.5 The Council is satisfied that the land that is being offered for sale is not subject to any rights of common and the Site is now an adopted Local Plan housing allocation. If potential purchasers have a concern, and wish to insure against the possibility, they may do so at their own expense and this should be allowed for in the tender offer. The Council will in such circumstances assist in providing evidence of the use of the land to insurers, so far as it is able to do so.
- 8.6 Concerning Homes & Communities Agency grant, the availability of grant funding cannot be guaranteed at the tender stage. Consequently, offers should make clear any assumptions that



have been made regarding grant funding and whether offers are conditioned on the availability of grant and the quantum of any such grant subsidy.

- 8.7 These comments are intended to assist potential purchasers in formulating a realistic offer at the very beginning of a proposed transaction, and to avoid delays in the legal process for the selected purchaser. It is felt that if the Council's position on some commonly encountered situations is clear, it will avoid the need for re-negotiation part way through the transaction, and the consequent delays in giving vacant possession. Where the sale has been by way of tender, later re-negotiation of the price can also create a problem for the Council with regard to its duty to obtain best consideration. It would be appreciated if potential purchasers would pass a copy of this tender package to their Solicitor/Legal Adviser when first instructing them.

9. PROGRAMME

- 9.1 Based on the current tender issue date, the anticipated development programme is summarised below (this is on the basis of a favourable planning scenario):

9.1.1	Tender Issue	6 th July 2020
9.1.2	Tender Return Date	Friday 24 th July 2020
9.1.3	Selection of Purchaser	August 2020
9.1.4	Exchange Conditional Contract	October 2020

- 9.2 The Council will expect strict adherence to this timescale for exchange of contracts and the sale process thereafter. This will be agreed on selection of a purchaser.

10. TERMS & CONDITIONS OF SALE

- 10.1 Stevenage Borough Council wishes to identify a prospective purchaser for the land located north of Eliot Road, Stevenage, Hertfordshire, SG2 0PE.
- 10.2 Offers are invited on an informal basis for the freehold interest in the Site with vacant possession. Both unconditional and conditional offers are invited in this respect.
- 10.3 Offers must be made for the whole Site edged red on the draft sale plan attached at Appendix 1.
- 10.4 Offers should be submitted in the tender envelope to arrive no later than noon on Friday 24th July 2020 and addressed as follows:

Interim Corporate Property Manager
Stevenage Borough Council
Daneshill House
Danestrete
Stevenage
SG1 1HN



- 10.5 Offers must only be submitted in a plain A4 envelope clearly marked 'Confidential - Eliot Road Tender'. The envelope must have no markings which could identify the sender.
- 10.6 Potential purchasers should, when submitting their offers, include the following information:
- 10.6.1 Financial offer (please refer to Appendix 13 for tender pro forma which must be completed) together with confirmation of any cost allowances as described within this tender package (or other cost allowances). Tenders must contain a value for the Site with stated Section 106 and other costs.
 - 10.6.2 Confirmation of the programme requested by the Council.
 - 10.6.3 Identity of the purchaser together with development track record and evidence of financial resources available. This should include the name and address of bankers to whom reference may be made by the Council before acceptance of the tender.
 - 10.6.4 Details of solicitors acting in this instance;
 - 10.6.5 Amount of deposit offered (10%);
 - 10.6.6 Details of any proposed development scheme, brief information on the development concept including number and type of dwellings (both private and affordable) together with built floorspace;
 - 10.6.7 Details of the completed development/sale value of the affordable dwellings and the proposed Registered Provider.
- 10.7 The tender form contained within Appendix 13 must be completed and returned. This tender form must show the full name and address of the bidder. If the offer is made jointly, the full names and addresses of all persons making the offer should be given. If a company makes the offer, it's full name and address and/or registered office shall be given. If the offer is made by an agent, or on behalf of another, the full name and address of the principal as well as the agent must be given and a copy of the agent's authority enclosed.
- 10.8 The tender form must be signed by the bidder and where signed by a Director, or other person empowered to make an offer on behalf of the company, the full names of the Directors or other persons shall be given. The capacity in which he/she signs the form shall be stated.
- 10.9 Purchasers should accept when submitting their offer that, by the time of any exchange of contracts, they will not have relied on details provided by the Council or their Agents but have relied only upon their own enquiries.
- 10.10 Stevenage Borough Council does not undertake to accept the highest or any offer made. The Council also reserves the right to negotiate the above terms or any other terms before final acceptance of the offer. The disposal will be made under the provisions of and subject to Section 123 of the Local Government Act 1972.
- 10.11 Moulton Walker Chartered Surveyors for themselves and for the Owners of this property, whose agents they are, give notice that:
- 10.11.1 They are not authorised to make or give any representations or warranties in relation to the property either here or elsewhere, either on their own behalf of their client or otherwise. They assume no responsibility for any statement that may be



made in these particulars. These particulars do not form part of any offer or contract and must not be relied upon as statements or representations of fact.

- 10.11.2 Any areas, measurements or distances are approximate. The text, photographs and plans are for guidance only and are not necessarily comprehensive. It should not be assumed that the property has all necessary planning, building regulation or other consents and Moulton Walker have not tested any services, equipment or facilities. Buyers must satisfy themselves by inspection or otherwise.
- 10.11.3 Figures quoted in these particulars may be subject to VAT in addition.

